

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 979

**Introduced by Assembly ~~Member~~ Members Sharon Runner and
Levine**

February 18, 2005

An act to amend Sections 13352 and 14602.6 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 979, as amended, Sharon Runner. Driving under the influence: restricted driver's license.

(1) Existing law requires the Department of Motor Vehicles to immediately suspend; *or* revoke; ~~or record the court-administered suspension or revocation of~~ the privilege of a person to operate a motor vehicle upon receipt of an abstract of the record of a court showing that the person has been convicted of specified provisions prohibiting driving under the influence (DUI). Existing law prohibits the reinstatement of that privilege until the person has complied with certain conditions and requires a person convicted of repeated DUI offenses to have his or her privilege suspended for a period ranging from 2 to 5 years. After completion of 12 to 30 months of the suspension or revocation period, depending upon the particular offense and punishment, the department is required to advise the person that the person may apply to, and be granted, a restricted driver's license ~~which~~ *that* is subject to specified conditions, including installing and maintaining an ignition interlock device.

This bill would apply the above provisions governing the issuance of restricted drivers' licenses to the above persons after completion of

12 months of the suspension or revocation period in all cases, rather than the current 12 to 30 month range.

(2) Existing law authorizes a peace officer to either immediately arrest a person and cause the removal and seizure of the vehicle he or she was operating or, if the vehicle is involved in a traffic collision, cause the removal and seizure of the vehicle, without the necessity of arresting the person, if the peace officer determines that the person was driving the vehicle while his or her driving privilege was suspended or revoked or without having been issued a license. Existing law requires the vehicle to be impounded for 30 days, but allows for the vehicle to be released prior to the end of that 30 days under specified circumstances.

This bill would, additionally, apply the above impoundment procedure to a person who is driving in violation of a driver's license restriction requiring that person to operate a vehicle that is equipped with a functioning, certified ignition interlock device.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13352 of the Vehicle Code, as added by
2 Section 1.5 of Chapter 595 of the Statutes of 2004, is amended to
3 read:
4 13352. (a) The department shall immediately suspend or
5 revoke the privilege of a person to operate a motor vehicle upon
6 the receipt of an abstract of the record of any court showing that
7 the person has been convicted of a violation of Section 23152 or
8 23153 or subdivision (a) of Section 23109, or upon the receipt of
9 a report of a judge of the juvenile court, a juvenile traffic hearing
10 officer, or a referee of a juvenile court showing that the person
11 has been found to have committed a violation of Section 23152
12 or 23153 or subdivision (a) of Section 23109. If any offense
13 specified in this section occurs in a vehicle defined in Section
14 15210, the suspension or revocation specified below shall apply
15 to the noncommercial driving privilege. The commercial driving
16 privilege shall be disqualified as specified in Sections 15300 to
17 15302, inclusive. For the purposes of this section, suspension or
18 revocation shall be as follows:

(1) Except as required under Section 13352.4, upon a conviction or finding of a violation of Section 23152 punishable under Section 23536, the privilege shall be suspended for a period of six months. The privilege may not be reinstated until the person gives proof of financial responsibility and gives proof satisfactory to the department of successful completion of a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code described in subdivision (b) of Section 23538. If the court, as authorized under paragraph (3) of subdivision (b) of Section 23646, elects to order a person to enroll, participate and complete either program described in paragraph (4) of subdivision (b) of Section 23542, the department shall require that program in lieu of the program described in subdivision (b) of Section 23538. For the purposes of this paragraph, enrollment, participation, and completion of an approved program shall be subsequent to the date of the current violation. Credit may not be given to any program activities completed prior to the date of the current violation.

(2) Upon a conviction or finding of a violation of Section 23153 punishable under Section 23554, the privilege shall be suspended for a period of one year. The privilege may not be reinstated until the person gives proof of financial responsibility and gives proof satisfactory to the department of successful completion of a driving-under-the-influence program licensed pursuant to Section 11836 of the Health and Safety Code as described in subdivision (b) Section 23556. If the court, as authorized under paragraph (3) of subdivision (b) of Section 23646, elects to order a person to enroll, participate, and complete either program described in paragraph (4) of subdivision (b) of Section 23542, the department shall require that program in lieu of the program described in Section 23556. For the purposes of this paragraph, enrollment, participation, and completion of an approved program shall be subsequent to the date of the current violation. Credit may not be given to any program activities completed prior to the date of the current violation.

(3) Except as provided in Section 13352.5, upon a conviction or finding of a violation of Section 23152 punishable under Section 23540, the privilege shall be suspended for two years. The privilege may not be reinstated until the person gives proof

1 of financial responsibility and gives proof satisfactory to the
2 department of successful completion of a
3 driving-under-the-influence program licensed pursuant to Section
4 11836 of the Health and Safety Code as described in subdivision
5 (b) of Section 23542. For the purposes of this paragraph,
6 enrollment, participation, and completion of an approved
7 program shall be subsequent to the date of the current violation.
8 Credit shall not be given to any program activities completed
9 prior to the date of the current violation. The department shall
10 advise the person that after completion of 12 months of the
11 suspension period, which may include credit for any suspension
12 period served under subdivision (c) of Section 13353.3, the
13 person may apply to the department for a restricted driver's
14 license, subject to the following conditions:

15 (A) The person has satisfactorily provided, subsequent to the
16 violation date of the current underlying conviction, either of the
17 following:

18 (i) Proof of enrollment in an 18-month
19 driving-under-the-influence program licensed pursuant to Section
20 11836 of the Health and Safety Code.

21 (ii) Proof of enrollment in a 30-month
22 driving-under-the-influence program licensed pursuant to Section
23 11836 of the Health and Safety Code, if available in the county
24 of the person's residence or employment.

25 (B) The person agrees, as a condition of the restriction, to
26 continue satisfactory participation in the program described in
27 subparagraph (A).

28 (C) The person submits the "Verification of Installation" form
29 described in paragraph (2) of subdivision (e) of Section 13386.

30 (D) The person agrees to maintain the ignition interlock device
31 as required under subdivision (g) of Section 23575.

32 (E) The person provides proof of financial responsibility, as
33 defined in Section 16430.

34 (F) The person pays all administrative fees or reissue fees and
35 any restriction fee required by the department.

36 (G) The restriction shall remain in effect for the period
37 required in subdivision (f) of Section 23575.

38 (4) Except as provided in this paragraph, upon a conviction or
39 finding of a violation of Section 23153 punishable under Section
40 23560, the privilege shall be revoked for a period of three years.

1 The privilege may not be reinstated until the person gives proof
2 of financial responsibility, and the person gives proof satisfactory
3 to the department of successful completion of a
4 driving-under-the-influence program licensed pursuant to Section
5 11836 of the Health and Safety Code, as described in subdivision
6 (b) of Section 23562. For the purposes of this paragraph,
7 enrollment, participation, and completion of an approved
8 program shall be subsequent to the date of the current violation.
9 Credit shall not be given to any program activities completed
10 prior to the date of the current violation. The department shall
11 advise the person that after the completion of 12 months of the
12 revocation period, which may include credit for any suspension
13 period served under subdivision (c) of Section 13353.3, the
14 person may apply to the department for a restricted driver's
15 license, subject to the following conditions:

16 (A) The person has satisfactorily completed, subsequent to the
17 violation date of the current underlying conviction, either of the
18 following:

19 (i) The initial 12 months of an 18-month
20 driving-under-the-influence program licensed pursuant to Section
21 11836 of the Health and Safety Code.

22 (ii) The initial 12 months of a 30-month
23 driving-under-the-influence program licensed pursuant to Section
24 11836 of the Health and Safety Code, if available in the county
25 of the person's residence or employment, and the person agrees,
26 as a condition of the restriction, to continue satisfactory
27 participation in that 30-month program.

28 (B) The person submits the "Verification of Installation" form
29 described in paragraph (2) of subdivision (e) of Section 13386.

30 (C) The person agrees to maintain the ignition interlock device
31 as required under subdivision (g) of Section 23575.

32 (D) The person provides proof of financial responsibility, as
33 defined in Section 16430.

34 (E) The person pays all applicable reinstatement or reissue
35 fees and any restriction fee required by the department.

36 (F) The restriction shall remain in effect for the period
37 required in subdivision (f) of Section 23575.

38 (5) Except as provided in this paragraph, upon a conviction or
39 finding of a violation of Section 23152 punishable under Section
40 23546, the privilege shall be revoked for a period of three years.

1 The privilege may not be reinstated until the person files proof of
2 financial responsibility and gives proof satisfactory to the
3 department of successful completion of one of the following
4 programs: an 18-month driving-under-the-influence program
5 licensed pursuant to Section 11836 of the Health and Safety
6 Code, as described in subdivision (b) or (c) of Section 23548, or,
7 if available in the county of the person's residence or
8 employment, a 30-month driving-under-the-influence program
9 licensed pursuant to Section 11836 of the Health and Safety
10 Code, or a program specified in Section 8001 of the Penal Code.
11 For the purposes of this paragraph, enrollment, participation, and
12 completion of an approved program shall be subsequent to the
13 date of the current violation. Credit shall not be given to any
14 program activities completed prior to the date of the current
15 violation. The department shall advise the person that after
16 completion of 12 months of the revocation period, which may
17 include credit for any suspension period served under subdivision
18 (c) of Section 13353.3, the person may apply to the department
19 for a restricted driver's license, subject to the following
20 conditions:

21 (A) The person has satisfactorily completed, subsequent to the
22 violation date of the current underlying conviction, either of the
23 following:

24 (i) The initial 12 months of an 18-month
25 driving-under-the-influence program licensed pursuant to Section
26 11836 of the Health and Safety Code.

27 (ii) The initial 12 months of a 30-month
28 driving-under-the-influence program licensed pursuant to Section
29 11836 of the Health and Safety Code, if available in the county
30 of the person's residence or employment, and the person agrees,
31 as a condition of the restriction, to continue satisfactory
32 participation in the 30-month driving-under-the-influence
33 program.

34 (B) The person submits the "Verification of Installation" form
35 described in paragraph (2) of subdivision (e) of Section 13386.

36 (C) The person agrees to maintain the ignition interlock device
37 as required under subdivision (g) of Section 23575.

38 (D) The person provides proof of financial responsibility, as
39 defined in Section 16430.

1 (E) An individual convicted of a violation of Section 23152
2 punishable under Section 23546 may also, at any time after
3 sentencing, petition the court for referral to an 18-month
4 driving-under-the-influence program licensed pursuant to Section
5 11836 of the Health and Safety Code, or, if available in the
6 county of the person's residence or employment, a 30-month
7 driving-under-the-influence program licensed pursuant to Section
8 11836 of the Health and Safety Code. Unless good cause is
9 shown, the court shall order the referral.

10 (F) The person pays all applicable reinstatement or reissue
11 fees and any restriction fee required by the department.

12 (G) The restriction shall remain in effect for the period
13 required in subdivision (f) of Section 23575.

14 (6) Except as provided in this paragraph, upon a conviction or
15 finding of a violation of Section 23153 punishable under Section
16 23550.5 or 23566, the privilege shall be revoked for a period of
17 five years. The privilege may not be reinstated until the person
18 gives proof of financial responsibility and proof satisfactory to
19 the department of successful completion of one of the following
20 programs: an 18-month driving-under-the-influence program
21 licensed pursuant to Section 11836 of the Health and Safety
22 Code, as described in subdivision (b) of Section 23568 or, if
23 available in the county of the person's residence or employment,
24 a 30-month driving-under-the-influence program licensed
25 pursuant to Section 11836 of the Health and Safety Code, or a
26 program specified in Section 8001 of the Penal Code. For the
27 purposes of this paragraph, enrollment, participation, and
28 completion of an approved program shall be subsequent to the
29 date of the current violation. Credit shall not be given to any
30 program activities completed prior to the date of the current
31 violation. The department shall advise the person that after the
32 completion of 12 months of the revocation period, which may
33 include credit for any suspension period served under subdivision
34 (c) of Section 13353.3, the person may apply to the department
35 for a restricted driver's license, subject to the following
36 conditions:

37 (A) The person has satisfactorily completed, subsequent to the
38 violation date of the current underlying conviction, either of the
39 following:

1 (i) The initial 12 months of a 30-month
2 driving-under-the-influence program licensed pursuant to Section
3 11836 of the Health and Safety Code, if available in the county
4 of the person's residence or employment, and the person agrees,
5 as a condition of the restriction, to continue satisfactory
6 participation in the 30-month driving-under-the-influence
7 program.

8 (ii) The initial 12 months of an 18-month
9 driving-under-the-influence program licensed pursuant to Section
10 11836 of the Health and Safety Code, if a 30-month program is
11 unavailable in the person's county of residence or employment.

12 (B) The person submits the "Verification of Installation" form
13 described in paragraph (2) of subdivision (e) of Section 13386.

14 (C) The person agrees to maintain the ignition interlock device
15 as required under subdivision (g) of Section 23575.

16 (D) The person provides proof of financial responsibility, as
17 defined in Section 16430.

18 (E) Any individual convicted of a violation of Section 23153
19 punishable under Section 23566 may also, at any time after
20 sentencing, petition the court for referral to an 18-month
21 driving-under-the-influence program or, if available in the county
22 of the person's residence or employment, a 30-month
23 driving-under-the-influence program licensed pursuant to Section
24 11836 of the Health and Safety Code. Unless good cause is
25 shown, the court shall order the referral.

26 (F) The person pays all applicable reinstatement or reissue
27 fees and any restriction fee required by the department.

28 (G) The restriction shall remain in effect for the period
29 required in subdivision (f) of Section 23575.

30 (7) Except as provided in this paragraph, upon a conviction or
31 finding of a violation of Section 23152 punishable under Section
32 23550 or 23550.5, or Section 23153 punishable under Section
33 23550.5 the privilege shall be revoked for a period of four years.
34 The privilege may not be reinstated until the person gives proof
35 of financial responsibility and proof satisfactory to the
36 department of successful completion of one of the following
37 programs: an 18-month driving-under-the-influence program
38 licensed pursuant to Section 11836 of the Health and Safety
39 Code, or, if available in the county of the person's residence or
40 employment, a 30-month driving-under-the-influence program

1 licensed pursuant to Section 11836 of the Health and Safety
2 Code, or a program specified in Section 8001 of the Penal Code.
3 For the purposes of this paragraph, enrollment, participation, and
4 completion of an approved program shall be subsequent to the
5 date of the current violation. Credit shall not be given to any
6 program activities completed prior to the date of the current
7 violation. The department shall advise the person that after the
8 completion of 12 months of the revocation period, which may
9 include credit for any suspension period served under subdivision
10 (c) of Section 13353.3, the person may apply to the department
11 for a restricted driver's license, subject to the following
12 conditions:

13 (A) The person has satisfactorily completed, subsequent to the
14 violation date of the current underlying conviction, either of the
15 following:

16 (i) The initial 12 months of an 18-month
17 driving-under-the-influence program licensed pursuant to Section
18 11836 of the Health and Safety Code.

19 (ii) The initial 12 months of a 30-month
20 driving-under-the-influence program licensed pursuant to Section
21 11836 of the Health and Safety Code, if available in the county
22 of the person's residence or employment, and the person agrees,
23 as a condition of the restriction, to continue satisfactory
24 participation in the 30-month driving-under-the-influence
25 program.

26 (B) The person submits the "Verification of Installation" form
27 described in paragraph (2) of subdivision (e) of Section 13386.

28 (C) The person agrees to maintain the ignition interlock device
29 as required under subdivision (g) of Section 23575.

30 (D) The person provides proof of financial responsibility, as
31 defined in Section 16430.

32 (E) An individual convicted of a violation of Section 23152
33 punishable under Section 23550 may also, at any time after
34 sentencing, petition the court for referral to an 18-month
35 driving-under-the-influence program or, if available in the county
36 of the person's residence or employment, a 30-month
37 driving-under-the-influence program licensed pursuant to Section
38 11836 of the Health and Safety Code. Unless good cause is
39 shown, the court shall order the referral.

1 (F) The person pays all applicable reinstatement or reissue
2 fees and any restriction fee required by the department.

3 (G) The restriction shall remain in effect for the period
4 required in subdivision (f) of Section 23575.

5 (8) Upon a conviction or finding of a violation of subdivision
6 (a) of Section 23109 that is punishable under subdivision (e) of
7 that section, the privilege shall be suspended for a period of 90
8 days to six months, if ordered by the court. The privilege may not
9 be reinstated until the person gives proof of financial
10 responsibility, as defined in Section 16430.

11 (9) Upon a conviction or finding of a violation of subdivision
12 (a) of Section 23109 that is punishable under subdivision (f) of
13 that section, the privilege shall be suspended for a period of six
14 months, if ordered by the court. The privilege may not be
15 reinstated until the person gives proof of financial responsibility,
16 as defined in Section 16430.

17 (b) For the purpose of paragraphs (2) to (9), inclusive, of
18 subdivision (a), the finding of the juvenile court judge, the
19 juvenile hearing officer, or the referee of a juvenile court of a
20 commission of a violation of Section 23152 or 23153 or
21 subdivision (a) of Section 23109, as specified in subdivision (a)
22 of this section, is a conviction.

23 (c) A judge of a juvenile court, juvenile hearing officer, or
24 referee of a juvenile court shall immediately report the findings
25 specified in subdivision (a) to the department.

26 (d) A conviction of an offense in any state, territory, or
27 possession of the United States, the District of Columbia, the
28 Commonwealth of Puerto Rico, or Canada that, if committed in
29 this state, would be a violation of Section 23152, is a conviction
30 of Section 23152 for purposes of this section, and a conviction of
31 an offense that, if committed in this state, would be a violation of
32 Section 23153, is a conviction of Section 23153 for purposes of
33 this section. The department shall suspend or revoke the privilege
34 to operate a motor vehicle pursuant to this section upon receiving
35 notice of that conviction.

36 (e) For the purposes of the restriction conditions specified in
37 paragraphs (3) to (7), inclusive, of subdivision (a), the
38 department shall terminate the restriction imposed pursuant to
39 this section and shall suspend or revoke the person's driving
40 privilege upon receipt of notification from the

1 driving-under-the-influence program that the person has failed to
2 comply with the program requirements. The person's driving
3 privilege shall remain suspended or revoked for the remaining
4 period of the original suspension or revocation imposed under
5 this section and until all reinstatement requirements described in
6 this section are met.

7 (f) For the purposes of this section, completion of a program is
8 the following:

9 (1) Satisfactory completion of all program requirements
10 approved pursuant to program licensure, as evidenced by a
11 certificate of completion issued, under penalty of perjury, by the
12 licensed program.

13 (2) Certification, under penalty of perjury, by the director of a
14 program specified in Section 8001 of the Penal Code, that the
15 person has completed a program specified in Section 8001 of the
16 Penal Code.

17 (g) The holder of a commercial driver's license who was
18 operating a commercial motor vehicle, as defined in Section
19 15210, at the time of a violation that resulted in a suspension or
20 revocation of the person's noncommercial driving privilege
21 under this section is not eligible for the restricted driver's license
22 authorized under paragraphs (3) to (7), inclusive, of subdivision
23 (a).

24 SEC. 2. Section 14602.6 of the Vehicle Code is amended to
25 read:

26 14602.6. (a) (1) Whenever a peace officer determines that a
27 person was driving a vehicle while his or her driving privilege
28 was suspended or revoked, driving a vehicle while his or her
29 driving privilege is restricted pursuant to Section 13352 or 23575
30 and the vehicle is not equipped with a functioning, certified
31 interlock device, or driving a vehicle without ever having been
32 issued a driver's license, the peace officer may either
33 immediately arrest that person and cause the removal and seizure
34 of that vehicle or, if the vehicle is involved in a traffic collision,
35 cause the removal and seizure of the vehicle; without the
36 necessity of arresting the person in accordance with Chapter 10
37 (commencing with Section 22650) of Division 11. A vehicle so
38 impounded shall be impounded for 30 days.

39 (2) The impounding agency, within two working days of
40 impoundment, shall send a notice by certified mail, return receipt

1 requested, to the legal owner of the vehicle, at the address
2 obtained from the department, informing the owner that the
3 vehicle has been impounded. Failure to notify the legal owner
4 within two working days shall prohibit the impounding agency
5 from charging for more than 15 days' impoundment when the
6 legal owner redeems the impounded vehicle. The impounding
7 agency shall maintain a published telephone number that
8 provides information 24 hours a day regarding the impoundment
9 of vehicles and the rights of a registered owner to request a
10 hearing.

11 (b) The registered and legal owner of a vehicle that is removed
12 and seized under subdivision (a) or their agents shall be provided
13 the opportunity for a storage hearing to determine the validity of,
14 or consider any mitigating circumstances attendant to, the
15 storage, in accordance with Section 22852.

16 (c) Any period in which a vehicle is subjected to storage under
17 this section shall be included as part of the period of
18 impoundment ordered by the court under subdivision (a) of
19 Section 14602.5.

20 (d) (1) An impounding agency shall release a vehicle to the
21 registered owner or his or her agent prior to the end of 30 days'
22 impoundment under any of the following circumstances:

23 (A) When the vehicle is a stolen vehicle.

24 (B) When the vehicle is subject to bailment and is driven by an
25 unlicensed employee of a business establishment, including a
26 parking service or repair garage.

27 (C) When the license of the driver was suspended or revoked
28 for an offense other than those included in Article 2
29 (commencing with Section 13200) of Chapter 2 of Division 6 or
30 Article 3 (commencing with Section 13350) of Chapter 2 of
31 Division 6.

32 (D) When the vehicle was seized under this section for an
33 offense that does not authorize the seizure of the vehicle.

34 (E) When the driver reinstates his or her driver's license or
35 acquires a driver's license and proper insurance.

36 (2) No vehicle shall be released pursuant to this subdivision
37 without presentation of the registered owner's or agent's
38 currently valid driver's license to operate the vehicle and proof of
39 current vehicle registration, or upon order of a court.

1 (e) The registered owner or his or her agent is responsible for
2 all towing and storage charges related to the impoundment, and
3 any administrative charges authorized under Section 22850.5.

4 (f) A vehicle removed and seized under subdivision (a) shall
5 be released to the legal owner of the vehicle or the legal owner's
6 agent prior to the end of 30 days' impoundment if all of the
7 following conditions are met:

8 (1) The legal owner is a motor vehicle dealer, bank, credit
9 union, acceptance corporation, or other licensed financial
10 institution legally operating in this state or is another person, not
11 the registered owner, holding a security interest in the vehicle.

12 (2) The legal owner or the legal owner's agent pays all towing
13 and storage fees related to the seizure of the vehicle. No lien sale
14 processing fees shall be charged to the legal owner who redeems
15 the vehicle prior to the 15th day of impoundment. Neither the
16 impounding authority nor any person having possession of the
17 vehicle shall collect from the legal owner of the type specified in
18 paragraph (1), or the legal owner's agent any administrative
19 charges imposed pursuant to Section 22850.5 unless the legal
20 owner voluntarily requested a poststorage hearing.

21 (3) The legal owner or the legal owner's agent presents either
22 lawful foreclosure documents or an affidavit of repossession for
23 the vehicle, and a security agreement or title showing proof of
24 legal ownership for the vehicle. Any documents presented may
25 be originals, photocopies, or facsimile copies, or may be
26 transmitted electronically. The impounding agency shall not
27 require any documents to be notarized. The impounding agency
28 may require the agent of the legal owner to produce a photocopy
29 or facsimile copy of its repossession agency license or
30 registration issued pursuant to Chapter 11 (commencing with
31 Section 7500) of Division 3 of the Business and Professions
32 Code, or to demonstrate, to the satisfaction of the impounding
33 agency, that the agent is exempt from licensure pursuant to
34 Section 7500.2 or 7500.3 of the Business and Professions Code.

35 No administrative costs authorized under subdivision (a) of
36 Section 22850.5 shall be charged to the legal owner of the type
37 specified in paragraph (1), who redeems the vehicle unless the
38 legal owner voluntarily requests a poststorage hearing. No city,
39 county, city or county, or state agency shall require a legal owner
40 or a legal owner's agent to request a poststorage hearing as a

1 requirement for release of the vehicle to the legal owner or the
2 legal owner's agent. The impounding agency shall not require
3 any documents other than those specified in this paragraph. The
4 impounding agency shall not require any documents to be
5 notarized.

6 As used in this paragraph, "foreclosure documents" means an
7 "assignment" as that term is defined in subdivision (o) of Section
8 7500.1 of the Business and Professions Code.

9 (g) (1) A legal owner or the legal owner's agent that obtains
10 release of the vehicle pursuant to subdivision (f) may not release
11 the vehicle to the registered owner of the vehicle or any agents of
12 the registered owner, unless the registered owner is a rental car
13 agency, until after the termination of the 30-day impoundment
14 period.

15 (2) The legal owner or the legal owner's agent may not
16 relinquish the vehicle to the registered owner until the registered
17 owner or that owner's agent presents his or her valid driver's
18 license or valid temporary driver's license to the legal owner or
19 the legal owner's agent. The legal owner or the legal owner's
20 agent shall make every reasonable effort to ensure that the
21 license presented is valid.

22 (3) Prior to relinquishing the vehicle, the legal owner may
23 require the registered owner to pay all towing and storage
24 charges related to the impoundment and any administrative
25 charges authorized under Section 22850.5 that were incurred by
26 the legal owner in connection with obtaining custody of the
27 vehicle.

28 (h) (1) A vehicle removed and seized under subdivision (a)
29 shall be released to a rental car agency prior to the end of 30
30 days' impoundment if the agency is either the legal owner or
31 registered owner of the vehicle and the agency pays all towing
32 and storage fees related to the seizure of the vehicle.

33 (2) The owner of a rental vehicle that was seized under this
34 section may continue to rent the vehicle upon recovery of the
35 vehicle. However, the rental car agency may not rent another
36 vehicle to the driver of the vehicle that was seized until 30 days
37 after the date that the vehicle was seized.

38 (3) The rental car agency may require the person to whom the
39 vehicle was rented to pay all towing and storage charges related
40 to the impoundment and any administrative charges authorized

1 under Section 22850.5 that were incurred by the rental car
2 agency in connection with obtaining custody of the vehicle.

3 (i) Notwithstanding any other provision of this section, the
4 registered owner and not the legal owner shall remain responsible
5 for any towing and storage charges related to the impoundment,
6 any administrative charges authorized under Section 22850.5,
7 and any parking fines, penalties, and administrative fees incurred
8 by the registered owner.

9 (j) The impounding agency is not liable to the registered
10 owner for the improper release of the vehicle to the legal owner
11 or the legal owner's agent provided the release complies with the
12 provisions of this section.

O